

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**RE: MARGARET A. SMITH,
Debtor(s)**

**Case No.: 11-50349-KMS
Chapter 13 Proceeding**

**DEBTOR'S(S') CERTIFICATION AND MOTION FOR ENTRY OF
CHAPTER 13 DISCHARGE PURSUANT TO 11 U.S.C. §1328 (a) AND (h)**

THIS MOTION SEEKS AN ORDER DISCHARGING THE DEBTOR(S) PURSUANT TO §1328 (a) AND (h) OF THE BANKRUPTCY CODE. If you oppose this Motion, you must file a Response with the Court at its address of Clerk of Court, United States Bankruptcy Court, Southern District of Mississippi, Dan M. Russell, Jr., U.S. Courthouse, 2012 15th Street, Suite 244, Gulfport, MS 39501, within twenty-one (21) days from the date listed on the attached Certificate of Service. Your Response must set forth the specific factual allegations with which you disagree, and a copy of your Response must be served on the Debtor(s) (see address on attached Master Mailing Matrix) and the Debtor's(s') Attorney at his address of David L. Lord, Esq., David L. Lord and Associates, P.A., 1819 24th Avenue, Gulfport, MS 39501. If no timely Response is filed, the Court may grant this Motion and enter an Order discharging the Debtor(s) without holding a hearing. A timely Response is necessary for a hearing to be held.

1. By signing below, the Debtor(s) certify under penalty of perjury that the following statements are true and correct:
 - A. For cases filed on or after March 10, 2008, I/we have completed a personal financial management instructional course provided through an agency approved by the United States Trustee and have filed a statement prepared as prescribed by Official Form 23 (In a joint case, both husband and wife must each complete the course and file an Official Form 23) or the approved personal financial management course provider has notified the court that I/we have completed a post-petition instructional course concerning personal financial management. **11 U.S.C. §1328(g)**
 - B. All pre-petition amounts owed by me on a domestic support obligation ("Domestic Support Obligation" as defined at 11 U.S.C. §101(14A)), if any, have been paid to the extent provided by the plan. All post-petition amounts owed by me on a domestic support obligation, if any, have been paid. **11 U.S.C. §1328(a)**
 - C. I/We have not received a discharge under chapter 7, 11 or 12 of the Bankruptcy Code in a prior case filed during the four-year period preceding the date that the petition was filed in this case. **11 U.S.C. §1328(f)(1)**
 - D. I/We have not received a discharge under chapter 13 of the Bankruptcy Code in a prior case filed during the two-year period before the date that the petition was filed in this case. **11 U.S.C. §1328(f)(2)**
 - E. I/we have not been convicted of a felony, the circumstances of which would demonstrate that the filing of this bankruptcy case constituted an abuse of the provisions of the Bankruptcy Code. **11 U.S.C. §1328(h)(1) and §522(q)(1)(A)**

F. If I/we owe a debt arising from: (i) any violation of any State or Federal securities laws, regulations or orders, (ii) fraud, deceit or manipulation in a fiduciary capacity or in connection with the purchase or sale of any security, (iii) a civil remedy under §1964 of Title 18 of the United States Code, or (iv) that caused serious injury or death to another individual in the preceding five (5) years, then I/we have not claimed an exemption for my/our residence in an amount in excess of the statutory cap as prohibited by §522(q)(1) of the Bankruptcy Code. 11 U.S.C. **§1328(h)(1) and §522(q)(1)(B)**

G. No proceeding is pending in which I/we may be found guilty of a felony of the kind described in §522(q)(1)(A) or in which I/we may be found liable for a debt of the kind described in §522 (q)(1)(B). **11 U.S.C. §1328(h)(2)**

H. I/We have made all payments required by my confirmed Chapter 13 plan.

2. Debtor(s) hereby move the Court for the entry of a discharge order in this case.

Margaret Smith
Debtor's Signature

6-27-16
Date

Spouse's Signature (if Joint case)

Date

/s/ David L. Lord 
David L. Lord (G) MS Bar No. 1427
Attorney for the Debtor(s)
David L. Lord and Associates, P.A.
1819 24th Avenue
Gulfport, MS 39501
Phone: (228) 868-5667 Fax: (228) 868-2554
E-mail: lordlawfirm@bellsouth.net

7/12/16
Date

CERTIFICATE OF SERVICE

I, David L. Lord, of David L. Lord and Associates, P.A., Counsel for the above-listed Debtor(s), do hereby certify that I have this day served, either electronically by the *Notice of Electronic Filing*, or by First-Class U.S. Mail, a true and correct copy of the above *Certification and Motion* to the following interested parties on this the 12th day of July, 2016.

/s/ David L. Lord 
David L. Lord (G) MS Bar No. 1427

Clerk of Court
United States Bankruptcy Court
Dan M. Russell, Jr., U.S. Courthouse
2012 15th Street, Suite 244
Gulfport, MS 39501

Henry G. Hobbs, Jr., Esq.
U.S. Trustee
USTPRegion05.JA.ECF@usdoj.gov

Warren A. Cuntz, Jr., Esq.
Chapter 13 Trustee
wacuntzcourt@cableone.net

All Creditors on the attached Master
Mailing Matrix

Label Matrix for local noticing
0538-1
Case 11-50349-KMS
Southern District of Mississippi
Gulfport-1 Divisional Office
Tue Jul 12 15:51:42 CDT 2016

JP Morgan Chase
Shapiro & Massey, LLP
1910 Lakeland Drive, Suite B
Jackson, MS 39216-5029

PRA Receivables Management, LLC
PO Box 12907
Norfolk, VA 23541-0907

United States Trustee
501 East Court Street
Suite 6-430
Jackson, MS 39201-5028

BANK OF AMERICA
PO BOX 851001
DALLAS TX 75285-1001

CHASE HOME FINANCE
PO BOX 24696
COLUMBUS OH 43224-0696

Chase Auto Finance
POB 29505 AZ1-1191
Phoenix, AZ 85038-9505

(p)DELL FINANCIAL SERVICES
P O BOX 81577
AUSTIN TX 78708-1577

HOUSEHOLD BANK
PO BOX 4155
CAROL STREAM IL 60197-4155

J. Gary Massey
Shapiro & Massey, L.L.C.
1910 Lakeland Drive, Suite B
Jackson, MS 39216-5029

Back Bowl I, L.L.C.
c/o Weinstein & Riley, P.S.
2001 Western Ave
Ste. 400
Seattle, WA 98121-3132

JPMORGAN CHASE BANK, NA CHASE AUTO FINANCE
Mail Code LA4-5555 700 Kansas Lane
Monroe, LA 71203

PRA Receivables Management, LLC
PO Box 41067
Norfolk, VA 23541-1067

U.S. Bankruptcy Court
Dan M. Russell, Jr. U.S. Courthouse
2012 15th Street, Suite 244
Gulfport, MS 39501-2036

BANK OF WIGGINS
PO BOX 67
WIGGINS MS 39577-0067

CITI
PO BOX 6283
SIOUX FALLS SD 57117-6283

Chase Bank USA, N.A.
PO Box 15145
Wilmington, DE 19850-5145

Dell Financial Services L.L.C.
c/o Resurgent Capital Services
PO Box 10390
Greenville, SC 29603-0390

HSBC
PO BOX 80084
SALINAS CA 93912-0084

JPMorgan Chase Bank, NA
3415 Vision Drive
Mail Code: OH4-7133
Columbus, OH 43219-6009

GE Money Bank
c/o Recovery Management Systems Corp.
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Midland Funding LLC by American InfoSource L
PO Box 4457
Houston, TX 77210-4457

SELECT PORTFOLIO SERVICING, INC
3815 South West Temple
Salt Lake City, UT 84115-4412

BANK OF AMERICA
PO BOX 15028
WILIMINGTON DE 19850

CHASE AUTO FINANCE
PO BOX 78067
PHOENIX AZ 85062-8067

Capital One Bank (USA), N.A.
PO Box 12907
Norfolk VA 23541-0907

DAVID L LORD & ASSOCIATES PA
2300 24TH AVE
GULFPORT MS 39501-4605

FIA Card Services, NA as successor in interest
Bank of America NA and MBNA America Bank
1000 Samoset Drive
DE5-023-03-03
Newark, DE 19713-6000

HSBC Bank Nevada, N.A.
by PRA Receivables Management, LLC
PO Box 12907
Norfolk VA 23541-0907

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Long Beach Mortgage Loan Trust 2000-1
Serviced by Select Portfolio Servicing,
3815 South West Temple
Salt Lake City, UT 84115-4412

Michael Alan Jedynak
Morris & Associates
FOR Select Portfolio Servicing
2309 Olier Road
Monroe LA 71201-2932

Midland Funding LLC
by American InfoSource LP as agent
PO Box 4457
Houston, TX 77210-4457

Portfolio Investments I LLC
c/o Recovery Management Systems Corporat
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

SMITH MARGARET A
54 JEFFERSON RD
WIGGINS MS 39577-9004

Select Portfolio Servicing
2309 Oliver Rd
Monroe, LA 71201-2932

US SMALL BUSINESS ADMINISTRA
801 TOM MARTIN DR STE 120
BIRMINGHAM AL 35211-6424

US SMALL BUSINESS ADMINISTRA
C/O HONORABLE CROCKET LINDSAY
1575 20TH AVE
GULFPORT MS 39501-2040

US SMALL BUSINESS ADMINISTRA
C/O HONORABLE ERIC HOLDER
950 PENNSYLVANIA AVE NW
WASHINGTON DC 20530-0009

US SMALL BUSINESS ADMINISTRA
C/O HONORABLE STAN HARRIS
188 E CAPITOL ST STE 500
JACKSON MS 39201-2126

US SMALL BUSINESS ADMINISTRA
PO BOX 740192
ATLANTA GA 30374-0192

WAL-MART/GEMB
PO BOX 981470
EL PASO TX 79998-1470

Brian J Dilks
Dilks & Knopik, LLC
35308 SE Center St
Snoqualmie, WA 98065-9216

David L.[G] Lord
David L. Lord and Associates, P.A.
1819 24th Avenue
Gulfport, MS 39501-2974

Margaret A. Smith
3289110 X Ave. SW
Dickinson, ND 58601

OTTIS B. CHIP CROCKER III
2300 24TH AVE.
GULFPORT, MS 39501-4605

Warren A. Cuntz Tl Jr.
P. O. Box 3749
Gulfport, MS 39505-3749

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

DELL
PO BOX 81585
AUSTIN TX 78708-1585

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Back Bowl I, L.L.C.
c/o Weinstein & Riley, P.S.
2001 Western Ave., Ste. 400
Seattle, WA 98121-3132

(d)PRA Receivables Management, LLC
POB 41067
Norfolk, VA 23541-1067

End of Label Matrix
Mailable recipients 47
Bypassed recipients 2
Total 49